

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

JOHN DOE, Individually and on behalf	)	
of all others similarly situated,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	NO. CIV-23-0728-HE
	)	
INTEGRIS HEALTH, INC.,	)	
	)	
Defendant.	)	

**ORDER**

Defendant removed this case from state court on the basis of the federal officer statute, 28 U.S.C. § 1442(a)(1). Plaintiff moved to remand the case and the court granted the remand motion. Order, November 16, 2023 [Doc. #25]. Defendant has since moved to stay the remand order, to which plaintiff has objected.

Orders remanding a case initially removed on the basis of the federal officer statute are, unlike remand orders generally, appealable. 28 U.S.C. § 1447(d). As a result, the order of remand is a final judgment subject to the usual rules for appeal of judgments, including Fed.R.Civ.P. 62's thirty day stay of proceedings (unless otherwise ordered by the court). *See Plaquesmines Parish v. Chevron USA, Inc.*, 84 F.4<sup>th</sup> 362 (5th Cir. 2023). As a result, defendant's motion for temporary stay [Doc. # 26] is **GRANTED** as follows: this court's order of remand is hereby **VACATED IN PART** and **AMENDED** as follows: the transfer of the case to state court is **STAYED** for a period of **thirty (30) days** from the date of the remand order; the order is confirmed in all other respects.

The Clerk of Court is directed to advise the District Court of Oklahoma County, State of Oklahoma of this stay by forwarding a copy of this order to that court.

**IT IS SO ORDERED.**

Dated this 21st day of November, 2023.

  
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JOE HEATON  
UNITED STATES DISTRICT JUDGE